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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,889	08/06/2001	Rasekh Rifaat	A0312/7412 WRM/IB	6192
23628	7590	08/03/2004	EXAMINER	
WOLF GREENFIELD & SACKS, PC			BURD, KEVIN MICHAEL	
FEDERAL RESERVE PLAZA			ART UNIT	PAPER NUMBER
600 ATLANTIC AVENUE			2631	
BOSTON, MA 02210-2211			DATE MAILED: 08/03/2004	

19

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/925,889	Applicant(s) RIFAAT ET AL.
	Examiner Kevin M. Burd	Art Unit 2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 14 June 2004.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-14 and 16-30 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-14 and 16-30 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 16 January 2002 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a))

\* See the attached detailed Office action for a list of the certified copies not received

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 18.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_ .

1. This office action, in response to the request for continued examination and the amendment filed 5/14/2004, is a non-final office action.

***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/14/2004 has been entered.

***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on 6/14/2004 is being considered by the examiner.

***Response to Arguments***

4. Applicant's arguments with respect to claims 1-14 and 16-30 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-14, 16-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Ozluturk et al (US 6,366,607).

Regarding claims 1, 8 and 16, Ozluturk discloses a method of processing received signal values in a signal processor. A digital spread spectrum signal is input to a rake receiver 101 in figure 5. The signal has a plurality of signal values and the signal values are input to complex mixers 107. Each multiplication product is input into an accumulator 109, where it is added to a previous product and latched out after the next symbol clock cycle (column 4, lines 59-67) thereby despreading the signal. A plurality of code segments is provided to the receiver to despread the received signal values as shown in figure 5.

Regarding claims 2 and 9, each multiplication product is added to a previous product and latched out after the next symbol clock cycle (column 4, lines 59-67).

Regarding claims 3, 17 and 10, the PN code used for despreading is input to the mixers as shown in figure 5. This code can be divided by a factor of four to yield one-fourth the amplitude as can any despread code.

Regarding claims 4, 11 and 18, the PN code used for despreading the signal as shown in figure 5, will comprise a plurality of bits. The signal is a complex signal and will comprise at least one real and at least one imaginary bit.

Regarding claims 5, 12 and 19, figures 6-8 show the received signal comprising constellation values of "1" and "-1".

Regarding claims 6, 13 and 20, the communication system discloses transmitting data at specific data rates in column 3, lines 10-17. These transmissions will comprise 16 data values or more.

Regarding claims 7, 14 and 21, figures 6-8 show the received signal comprising constellation values of "1" and "-1". These are real and imaginary values.

Regarding claims 22-25, Ozluturk discloses a method of processing received signal values in a signal processor. A digital spread spectrum signal is input to a rake receiver 101 in figure 5. The signal has a plurality of signal values and the signal values are input to complex mixers 107. Each multiplication product is input into an accumulator 109, where it is added to a previous product and latched out after the next symbol clock cycle (column 4, lines 59-67) thereby despreading the signal. A plurality of code segments is provided to the receiver to despread the received signal values as shown in figure 5. The communication system discloses transmitting data at specific data rates in column 3, lines 10-17. These transmissions will comprise 16 data values or more. Figures 6-8 show the received signal comprising constellation values of "1" and "-1". These are real and imaginary values.

Regarding claim 26, the data communication system is a CDMA system that can transmit voice signals (column 3, lines 10-17).

Regarding claim 27, Ozluturk discloses a method of processing received signal values in a signal processor. A digital spread spectrum signal is input to a rake receiver 101 in figure 5. The signal has a plurality of signal values and the signal values are input to complex mixers 107. The PN code input to the mixers will comprise a plurality of bits.

Regarding claims 28-30, Ozluturk discloses a method of processing received signal values in a signal processor. A digital spread spectrum signal is input to a rake receiver 101 in figure 5. The signal has a plurality of signal values and the signal values are input to complex mixers 107. The PN code input to the mixers will comprise a plurality of bits. Each multiplication product is input into an accumulator 109, where it is added to a previous product and latched out after the next symbol clock cycle (column 4, lines 59-67) thereby despreading the signal. A plurality of code segments is provided to the receiver to despread the received signal values as shown in figure 5.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M. Burd whose telephone number is 703-308-7034. The examiner can normally be reached on Monday - Thursday 9 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 703-306-3034. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kevin M. Burd  
7/28/2004